

## **REMARKS/ARGUMENTS**

### **1. Summary of the Office Action**

Claims 1, 2, 5-10 stand rejected under § 102(b) as allegedly being anticipated by U.S. Patent No. 5,459,717 to Mullan et al. (hereinafter "Mullan"). Claims 3 and 4 have been noted as containing allowable subject matter, but objected to for being dependent upon a rejected base claim.

### **2. Summary of Amendments**

The Examiner has objected to the Abstract because it includes the Title. Accordingly, Applicant has amended the Abstract to remove the Title.

The Examiner has objected to Figure 1 of the drawings because Figure 1 was not properly labeled as prior art. Accordingly, Applicant has submitted a Replacement Drawing for Figure 1.

### **3. Response to § 102 Rejections**

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

**Mullan does not anticipate independent claim 1, because Mullan does not disclose or suggest each and every element of independent claim 1.**

Claim 1, as amended, states the following:

A system for enabling message transfer comprising:  
an intra-process messaging switch, coupled to a message transfer system, for communicating with the message transfer system in accordance with a protocol of the message transfer system and coupled to at least two message source links to enable the exchange of data between a message source and the message transfer system responsive to issuance of message source independent commands; and  
the at least two message source links coupled to message sources of different types and the intra-process messaging switch,

wherein each message source link translates messages into formats compatible with the message source type of the message source to which the message source link is coupled in response to receiving message source independent commands.

(Claim 1, as amended, emphasis added). Applicant's invention generally relates to intra-process messaging. In part, intra-process messaging is achieved through the use of message source links (MSLs), which translate messages into formats compatible with the message source type of the message source to which it is coupled. For example, "[m]essages originating from the message source are received by the MSL serving source, translated to a canonical format specified by the switch, and delivered to the switch through the use of [a] polymorphic interface." (Applicant's Specification, Page 4, Line 7).

Mullan, on the other hand, discloses the following:

To illustrate how a message would be composed and routed in an electronic message system configured as above, assume a user wishes to send a message to another user at a remote location serviced by a different electronic messaging system. The user, referred to as a message originator, would compose a message on a user interface using editing functions provided by a user agent. The user agent includes editing routines which ensure the message conforms to the appropriate standards and communications protocols. When the user is satisfied with the message and requests that it be sent, the user agent transmits the message as a digital signal to the message transfer agent servicing that particular user agent. Upon receiving the message, the message transfer agent analyzes the address specified for the recipient and determines the appropriate routing path from the routing information data store. Assuming a routing path exists, the message transfer agent transmits the message along the associated telecommunications line to the electronic messaging system servicing the intended recipient.

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To facilitate global routing, the Consultative Committee for International Telegraphy and Telephony (CCITT) developed the X.400 series of recommendations in an effort to standardize electronic messaging systems across different countries and vendors. As part of this effort, messages must be formatted and sent using predefined standards and protocols. A message formatted in compliance with X.400 standards must contain certain items of address information, including an originator/recipient name (O/R name) which includes codes for the originator/recipient

user's country, administration management domain, organization and personal name.

Conformance to CCITT standards ensures messages are readily transferable between two electronic messaging systems; however, such conformance limits the flexibility available for configuring messaging systems.

(Mullan, Col. 2, Lines 39 – 54). According to Mullan, in order to route a message, the message must be formatted and communicated according to predefined standards and protocols. Accordingly, when a message arrives at a router (Fig. 2, Element 7), the message must be in a particular format that the router “understands.” That is, messages must be formatted properly at the source.

In the Office Action mailed September 8, 2004, the Examiner has suggested that the user agent of Mullan is the same as Applicant's MSL. According to Mullan, the user agent “includes editing routines which ensure the message conforms to the appropriate standards and communications protocols.” Therefore, the user agent ensures that the message is properly formatted when it is created, or at the source. Mullan does not disclose or suggest that the user agent translates messages into formats compatible with the message source type of the message source to which it is coupled. Consequently, Applicant submits that Mullan does not anticipate claim 1. Because claims 2 – 6 are dependent upon claim 1, Applicant submits that Mullan does not anticipate claims 2 – 6 for the same reason.

**Mullan does not anticipate independent claim 7, because Mullan does not disclose or suggest each and every element of independent claim 7.**

Claim 7, as amended, states the following:

A system for transferring messages in a network comprising:  
a plurality of message sources;  
a plurality of message source links, each coupled to a message source;  
an intra-process messaging switch, coupled to a subset of the plurality of message sources; and  
a message transfer system, coupled to the intra-processing switch, wherein the message transfer system transfers messages based on subscription lists indicating whether a switch has subscribed to a subject of a message and which message sources have subscribed to a subject of a message, thereby enabling the message transfer system to transfer a single copy of a message to a subscribing intra-process messaging switch regardless of whether

multiple message sources coupled to the intra-process messaging switch have subscribed to the subject of the message.

(Claim 7, as amended, emphasis added). Claim 7 refers to a messaging system that uses publish-subscribe, subject-based addressing. For example, messages are routed based on subscriptions to a particular subject. Accordingly, claim 7 includes the limitation above.

Mullan relates to address-based routing. The “routing information database” of Mullan is used to route messages based on an address specified in the message. Mullan does not disclose or suggest that messages are routed based on the content of the message. In particular, Mullan does not disclose or suggest a message transfer system, coupled to the intra-processing switch, wherein the message transfer system transfers messages based on subscription lists indicating whether a switch has subscribed to a subject of a message and which message sources have subscribed to a subject of a message, thereby enabling the message transfer system to transfer a single copy of a message to a subscribing intra-process messaging switch regardless of whether multiple message sources coupled to the intra-process messaging switch have subscribed to the subject of the message. Consequently, Applicant submits that Mullan does not anticipate claim 7. Because claims 8 – 10 are dependent upon claim 7, Applicant submits that Mullan does not anticipate claims 8 – 10 for the same reason.

In light of the above, Applicant respectfully submits that the rejection under 35 U.S.C. § 102 has also been overcome, and withdrawal of this rejection is therefore respectfully requested.

4. **Conclusion**

Having tendered the above remarks and amended the claims as indicated herein, Applicant respectfully submits that all rejections have been addressed and that the claims are now in a condition for allowance, which is earnestly solicited.

It should furthermore be noted that the above amendments to the claims have not been made within view to overcoming any prior art of which the Applicants are aware, or that has been cited in the present Office Action. The above amendments have been made with a view to modifying the form of the claims.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Nathan P. Elder at (408) 947-8200 ext. 207.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

A handwritten signature in dark ink, appearing to read "Nathan P. Elder", is written over a horizontal line.

Nathan P. Elder  
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Dated: December 29, 2004

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**IN THE DRAWINGS**

The attached Replacement Sheet includes a change to Figure 1. This Replacement Sheet, which includes an amended Figure 1, replaces the prior sheet including Figure 1. Figure 1 has been amended to indicate that is prior art.